ATTORNEY DOCKET NO.: 056 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re PATENT APPLICATION of: Group Art Unit: 1614 **CUMMING** Examiner: Rao, Deepak R. 09/937,018 Appln. No.: Filed: September 20, 2001 PYRIDINE AND PYRIMINDINE FOR: DERIVATIVES AND THEIR USE AS INHIBITORS OF CYTOKINE MEDIATED DISEASE Commissioner for Patents Date: January 20, 2004 U.S. Patent and Trademark Office 2011 South Clark Place Customer Window Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202 Sir: AMENDMENT (FEE) TRANSMITTAL FORM 1. Transmitted herewith is an Amendment responding to the Office Action dated September 24, 2003. 2. Additional papers enclosed: Information Disclosure Statement Form PTO-1449, copies of references Citations Declaration of Biological Deposit Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence. Drawings: Formal Informal (Correction) 01/21/2004 MGEBREM1 00000079 500310 09937018 110.00 DA 01 FC:1251

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time. X Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below: Fee for **Total Months** Fee for **Extension** Small Entity Requested \$ 110.00 \$ 55.00 one month two months \$ 420.00 \$210.00 \$ 950.00 \$475.00 three months \$740.00 four months \$1,480.00 five months \$2,010.00 \$1,005.00 If an additional extension of time is required, please consider this a Petition therefor. An extension for _____months has already been secured and the fee paid therefor of \$\ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$110.00

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

ATTORNEY DOCKET NO.: 056291 6048
Application No. 109/937,018

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED							
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees	
Total Claims (37 C.F.R. §1.16(c))	46	minus	26	20	x \$18/\$9 each=	\$	360.00
Independent Claims (37 C.F.R.§1.16(b))	4	minus	3	1	x \$86/\$43 each=	\$	86.00
First presentation of Multiple dependent claim(s): previously paid \$290/\$145					\$	0.00	
SUB-TOTAL =						\$	446.00
Fee for 1 Month Extension of Time						\$	110.00
TOTAL FEE =						\$	556.00

6. Fee Payment

- The Commissioner is hereby authorized to charge \$556.00 to Deposit Account No. 50-0310 for Additional Claims Fee (\$360.00); Additional Independent Claims Fee (\$86.00); and One-Month Extension of Time Fee (\$110.00).
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310

Respectfully Submitted,

Morgan Lewis & Bockius JA

Date:

January 20, 2004

Morgan Lewis & Bockius LLP

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ATTORNEY DOCKET NO.: 056291-5046

Date: January 20, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)	
CUMMING) Group Art Unit: 1614	
Appln. No.: 09/937,018) Examiner: Rao, Deepak l	R
Filed: September 20, 2001)	
FOR: PYRIDINE AND PYRIMINDINE DERIVATIVES AND THEIR USE AS INHIBITORS OF CYTOKINE MEDIATED DISEASE))))	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

This is in response under 37 C.F.R. § 1.116 to the Final Action dated September 24, 2003, the time for responding to which has been extended to and including January 24, 2004, by Petition and fee submitted herewith. Please amend the claims as follows, in order to place them in condition for allowance or in better condition for appeal:

01/21/2004 MGEBREM1 00000079 500310 09937018

02 FC:1201 03 FC:1202 86.00 DA 360.00 DA